

United States Bankruptcy Court
Northern District of Ohio

In re:
Richard M. Osborne
Debtor

Case No. 17-17361-aih
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0647-1

User: mgaug
Form ID: pdf722

Page 1 of 2
Total Noticed: 14

Date Rcvd: Jul 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 21, 2018.

db +Richard M. Osborne, 7265 Markell Road, Waite Hill, OH 44094-9312
aty +Frederic P. Schwieg, 2705 Gibson Drive, Rocky River, OH 44116-3008
cr +Gregory M. Dennin, Dennin & Dennin, 2745 Main Street, Lake Placid, NY 12946-3559
cr +CSX Transportation, Inc., c/o McGuireWoods LLP, 50 N. Laura Street, Suite 3300,
Jacksonville, FL 32202-3661
cr +Chicago Title Insurance Company, 2533 North 117th Avenue, Omaha, NE 68164-3679
cr Citizens Bank, N.A., c/o Michael S. Tucker, Esq., 1660 West 2nd Street, Suite 1100,
Cleveland, OH 44113-1448
cr +City of Willoughby, One Public Square, Willoughby, OH 44094-7827
cr +Estate of Jerome T. Osborne, c/o Kirk W. Roessler, Esq., 1301 East Ninth Street Suite 3500,
Cleveland, OH 44114-1838
cr +First National Bank of Pennsylvania, c/o Buckingham, Doolittle & Burroughs,
1375 East 9th Street Suite 1700, Cleveland, OH 44114-1790
intp +Lakeland Community College, c/o Alison L. Archer, Assistant Attorney General,
615 W. Superior Ave., 11th Floor, Cleveland, OH 44113-1899
cr +Michael E. Osborne, Sr., 7670 Tyler Blvd., Mentor, OH 44060-4853
cr +Ohio Department of Taxation, c/o William C. Huffman, 24441 Detroit Road, Suite 300,
Westlake, OH 44145-1543
cr +The Huntington National Bank, c/o Timothy P. Palmer, Esq., Buchanan Ingersoll & Rooney PC,
One Oxford Centre 20th floor, Pittsburgh, PA 15219-1400

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

intp +E-mail/Text: ecf@buckleyking.com Jul 19 2018 22:05:52 Zachary B Burkons,
c/o Buckley King LPA, 600 Superior Ave., Suite 1400, Cleveland, OH 44114-2693
TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bank of America, N.A.
cr Mentor Lumber & Supply Co.
cr Tax Ease Ohio, LLC

TOTALS: 3, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 19, 2018 at the address(es) listed below:

Adam S. Baker on behalf of Creditor Michael E. Osborne, Sr. abakerlaw@sbcglobal.net,
adam@bakerlaw.us; abakerlaw@gmail.com
Alison L. Archer on behalf of Interested Party Lakeland Community College
alison.archer@ohioattorneygeneral.gov,
Trish.Lazich@ohioattorneygeneral.gov; angelique.dennis-noland@ohioattorneygeneral.gov
Andrew M. Tomko on behalf of Creditor Tax Ease Ohio, LLC atomko@sandhu-law.com,
bklnotice@sandhu-law.com
Austin B. Barnes, III on behalf of Creditor Tax Ease Ohio, LLC abarnes@sandhu-law.com,
bklnotice@sandhu-law.com
Christopher J. Klym on behalf of Creditor Ohio Department of Taxation bk@hkhkwlaw.com
David T. Brady on behalf of Creditor Tax Ease Ohio, LLC DBrady@Sandhu-Law.com,
bklnotice@sandhu-law.com
Frederic P. Schwieg on behalf of Attorney Frederic P. Schwieg fschwieg@schwieglaw.com
Frederic P. Schwieg on behalf of Debtor Richard M. Osborne fschwieg@schwieglaw.com
Gregory P. Amend on behalf of Creditor First National Bank of Pennsylvania gamend@bdblawn.com,
grichards@bdblawn.com
Jeffrey C. Toole on behalf of Interested Party Zachary B Burkons toole@buckleyking.com,
young@buckleyking.com; heberlein@buckleyking.com

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

John J. Rutter on behalf of Creditor Mentor Lumber & Supply Co. jrutter@ralaw.com
Kirk W. Roessler on behalf of Creditor Estate of Jerome T. Osborne kroessler@walterhav.com,
kballa@walterhav.com;slasalvia@walterhav.com
Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee
maria.d.giannirakis@usdoj.gov
Matthew H. Matheney on behalf of Creditor First National Bank of Pennsylvania
mmatheney@bdblawn.com, bhajduk@bdblawn.com
Michael J. Sikora, III on behalf of Creditor Chicago Title Insurance Company
msikora@sikoralaw.com, aarasmith@sikoralaw.com;mtroha@sikoralaw.com
Michael S. Tucker on behalf of Creditor Citizens Bank, N.A. mtucker@ulmer.com
Nathaniel R. Sinn on behalf of Creditor First National Bank of Pennsylvania nsinn@bdblawn.com,
kslatinsky@bdblawn.com
Rachel L. Steinlage on behalf of Interested Party Zachary B Burkons rsteinlage@meyersroman.com,
jray@meyersroman.com;mnowak@meyersroman.com;rbain@meyersroman.com
Robert D. Barr on behalf of Creditor Chicago Title Insurance Company rbarr@koehler.law,
rbarr@koehler.law
Scott R. Belhorn ust35 on behalf of U.S. Trustee United States Trustee
Scott.R.Belhorn@usdoj.gov
Stephen John Futterer on behalf of Creditor City of Willoughby sjfutterer@sbcglobal.net,
r43087@notify.bestcase.com
Stephen R. Franks on behalf of Creditor Bank of America, N.A. amps@manleydeas.com
Timothy P. Palmer on behalf of Creditor The Huntington National Bank timothy.palmer@bipc.com,
donna.curcio@bipc.com

TOTAL: 23

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on July 19, 2018, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: July 19, 2018




ARTHUR I. HARRIS
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE RICHARD M. OSBORNE, SR.
Debtor

CASE No. 17-17361
JUDGE ARTHUR I. HARRIS
CHAPTER 11

**ORDER GRANTING FIRST INTERIM APPLICATION OF FREDERIC P. SCHWIEG, ESQ. ATTORNEY
AT LAW FOR APPROVAL OF COMPENSATION AND REIMBURSEMENT OF EXPENSES AS COUNSEL
FOR DEBTOR AND DEBTOR IN POSSESSION**

Before the Court is the First Interim Application of Frederic P. Schwieg, Esq. Attorney at Law for Approval of Compensation and Reimbursement of Expenses as Counsel for Debtor and Debtor in Possession [Doc. 169] (“Motion”). All parties in interest having been duly served with notice of the Motion and the deadline to respond, and no party in interest having appeared in opposition to the Motion, the Court being fully apprised in the premises, FINDS and ORDERS as follows:

THE COURT FINDS that the compensation requested as adjusted by the court at the hearing is reasonable taking into account the nature and extent of such services, the time spent on such services, and the rates charged. The Court finds that the services rendered were necessary to the administration of the case, that they were performed in a reasonable amount of time

commensurate with the complexity and importance and nature of the claim presented. The Court finds that Mr. Schwieg has demonstrated skill and experience in the bankruptcy field and the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than under this title.

IT IS THEREFORE ORDERED THAT Frederic P. Schwieg's request for legal fees in the amount of \$69,685.00 and expenses of \$1,887.07 and allowing him \$70,572.07 as an administrative expense against the bankruptcy estate is hereby APPROVED and he is authorized to reduce that sum from the remaining retainer he holds of \$26,373.00. The Debtor shall pay the balance of the fees forthwith

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Prepared By:

/s/ Frederic P. Schwieg, Esq.

Frederic P. Schwieg, Esq. (0030418)

Attorney at Law

2705 Gibson Dr

Rocky River, OH 44116

(440) 499-4506

Fax (440) 398-0490

fschwieg@schwieglaw.com

ECF Service

The following is a list of the parties who are on the list to receive e-mail notice/service for this case:

Gregory P. Amend on behalf of Creditor First National Bank of Pennsylvania

gamend@bdblaw.com, grichards@bdblaw.com

Alison L. Archer on behalf of Interested Party Lakeland Community College

alison.archer@ohioattorneygeneral.gov, Trish.Lazich@ohioattorneygeneral.gov;angelique.dennis-noland@ohioattorneygeneral.gov

Adam S. Baker on behalf of Creditor Michael E. Osborne, Sr.

abakerlaw@sbcglobal.net, adam@bakerlaw.us;abakerlaw@gmail.com

Austin B. Barnes, III on behalf of Creditor Tax Ease Ohio, LLC

abarnes@sandhu-law.com, bk1notice@sandhu-law.com

Robert D. Barr on behalf of Creditor Chicago Title Insurance Company

rbarr@koehler.law, rbarr@koehler.law

David T. Brady on behalf of Creditor Tax Ease Ohio, LLC

DBrady@Sandhu-Law.com, bk1notice@sandhu-law.com

Stephen R. Franks on behalf of Creditor Bank of America, N.A.
amps@manleydeas.com

Christopher J. Klym on behalf of Creditor Ohio Department of Taxation
bk@hhkwlaw.com

Matthew H. Matheney on behalf of Creditor First National Bank of Pennsylvania
mmatheney@bdblaw.com, bhajduk@bdblaw.com

Timothy P. Palmer on behalf of Creditor The Huntington National Bank
timothy.palmer@bipc.com, donna.curcio@bipc.com

Kirk W. Roessler on behalf of Creditor Estate of Jerome T. Osborne
kroessler@walterhav.com, kballa@walterhav.com;slasalvia@walterhav.com

John J. Rutter on behalf of Creditor Mentor Lumber & Supply Co.
jrutter@ralaw.com

Frederic P. Schwieg on behalf of Debtor Richard M. Osborne
fschwieg@schwieglaw.com

Michael J. Sikora, III on behalf of Creditor Chicago Title Insurance Company
msikora@sikoralaw.com, aarasmith@sikoralaw.com;mtroha@sikoralaw.com

Nathaniel R. Sinn on behalf of Creditor First National Bank of Pennsylvania
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Rachel L. Steinlage on behalf of Interested Party Zachary B Burkons
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Andrew M. Tomko on behalf of Creditor Tax Ease Ohio, LLC
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Jeffrey C. Toole on behalf of Interested Party Zachary B Burkons
toole@buckleyking.com, young@buckleyking.com;heberlein@buckleyking.com

Michael S. Tucker on behalf of Creditor Citizens Bank, N.A.
mtucker@ulmer.com

Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee
maria.d.giannirakis@usdoj.gov

Scott R. Belhorn ust35 on be